

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 91-019

AMENDMENT TO ORDER NUMBER 90-015  
SITE CLEANUP REQUIREMENTS FOR:

CHEVRON USA, INC.  
TERMINAL #1001272  
1020 BERRYESSA ROAD  
SAN JOSE, SANTA CLARA COUNTY

**FINDINGS**

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. **SITE DESCRIPTION** - Chevron USA, Inc. (Chevron) (hereinafter referred to as the discharger) operates a transfer station at 1020 Berryessa Road in San Jose. The transfer station delivers refined motor fuels throughout the San Francisco Bay Area. The terminal has been in operation since the mid-1960's. The site has 15 above-ground storage tanks and two below-ground storage tanks holding a variety of fuels and oils including regular, unleaded and supreme gasoline, diesel, heating fuel, motor oil, fuel additive and transmix. A large fueling island and several oil/water separators exist onsite.
2. **SITE HISTORY** - Several spills and leaks were reported for this site between February, 1984 and July, 1986. Reports of these spills and leaks were based on observation or detection of hydrocarbons (HCs) in soil and groundwater monitoring wells. The storage tanks and oil water separators may be sources for the leaks. Site Cleanup requirements were adopted for this site in January 1990. The Order included tasks for onsite investigation and remediation, offsite investigation and remediation, and final cleanup for both onsite and offsite. Investigation of the extent of the problem and installation of onsite interim remedial actions has been ongoing.
3. **SUBSURFACE INVESTIGATIONS** - Subsurface investigations were conducted at the Site, beginning in 1983, and included the following activities: installation of 38 groundwater monitoring wells, drilling of several soil borings, subsurface sampling and analyses, aquifer testing, a soil gas survey, and soil vent performance testing. Six of the monitoring wells became useless due to dewatering and were properly destroyed by Chevron under supervision of the Santa Clara Valley Water District. The results of these investigations indicate that HCs have been released from and are present beneath this Site.

Separate-phase HCs have repeatedly been detected in groundwater monitoring wells onsite since 1984 and offsite since 1987. Dissolved HCs have been repeatedly detected in groundwater monitoring wells onsite since 1984 and offsite since 1986. Benzene has been detected up to the following concentrations: 18,000 ppb in groundwater onsite, 6,100 ppb in groundwater offsite, and 290 ppm in soil onsite.

4. **COMPLIANCE WITH ORDER 90-015** - The discharger was in compliance with Order 90-015 until August 31, 1990. The discharger is currently not in compliance with Provisions C.1.b.1 and C.1.c.2. Provision C.1.b.1 requires the discharger to submit a report evaluating the effectiveness of onsite interim remedial actions and to propose modifications to the actions if necessary. This report was to be submitted August 31, 1990.

Completion and activation of the onsite remedial system for groundwater has been delayed by two concerns. First the extracted groundwater had unusually high concentrations of some inorganics. This required a reevaluation of the treatment system and discharge options. Staff concluded that discharge to the storm sewer without additional treatment beyond that proposed by the discharger would not be allowed under current guidance. Therefore the discharger elected to install an onsite irrigation system to reuse the extracted treated groundwater. Inspection by the San Jose Fire Department resulted in additional modifications to the treatment and distribution systems. This has resulted in a delay of approximately ten months in the startup of the onsite extraction system.

Provision C.1.c.2. required the discharger to submit a report detailing the results of an investigation of the extent of offsite pollution. The submittal date for this report under Order 90-015 was to be October 31, 1990. The completion of the offsite investigation was delayed six months for the negotiation of access agreements for offsite well installation. The offsite wells that had been proposed as required by Task C.1.c.1. of Order 90-015 were finally installed in December 1990. Due to the extenuating circumstances as cited above Board Staff did not recommend enforcement for the instances of non-compliance cited above.

5. **SCOPE OF THIS ORDER** - This Order proposes to amend due dates for some tasks required under Board Order 90-015 due to delays as cited in Finding 4 above. The delays cited impact directly upon the two tasks for which the discharger is currently not in compliance, however these delays affect all remaining tasks required under 90-015. All Prohibitions, Specifications and Provisions of Order 90-015 shall remain in force with amended due dates as specified in the revised provisions. The revised submittal dates take into account the known delays as explicated above, plus new information that has been obtained during the ongoing investigation and time to allow for negotiations with landowners in the offsite area and negotiations with a potentially responsible party in the offsite area.
6. The Board, in a public meeting on February 20, 1991, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that the dischargers their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

C. AMENDED PROVISIONS

1. The discharger shall comply with the Prohibitions and Specifications of Order 90-015, in accordance with the following amended time schedule and tasks:

TASKS AND COMPLETION DATES

b. ONSITE TASKS:

1. EVALUATE EFFECTIVENESS OF ONSITE INTERIM REMEDIAL ACTIONS AND PROPOSE MODIFICATIONS TO THE ACTIONS:

COMPLETION DATE: Changed from August 31, 1990 to August 31, 1991

2. COMPLETE IMPLEMENTATION OF MODIFICATIONS TO ONSITE INTERIM REMEDIAL ACTIONS:

COMPLETION DATE: Changed from January 31, 1991 to November 30, 1991

c. OFFSITE TASKS:

2. COMPLETE OFFSITE GROUNDWATER POLLUTION CHARACTERIZATION:

COMPLETION DATE: Changed from October 31, 1990 to January 31, 1991

3. EVALUATE REMEDIAL ALTERNATIVES FOR OFFSITE SOIL AND GROUNDWATER POLLUTION AND PROPOSE INTERIM REMEDIAL ACTIONS:

COMPLETION DATE: Changed from April 30, 1991 to February 28, 1992

4. COMPLETE IMPLEMENTATION OF OFFSITE INTERIM REMEDIAL ACTIONS:

COMPLETION DATE: Changed from November 30, 1991 to August 31, 1992

5. EVALUATE EFFECTIVENESS OF OFFSITE INTERIM REMEDIAL ACTIONS AND PROPOSE MODIFICATIONS TO THESE ACTIONS:

COMPLETION DATE: Changed from May 31, 1992 to January 31 1993

6. COMPLETE IMPLEMENTATION OF MODIFICATIONS TO OFFSITE INTERIM REMEDIAL ACTIONS:

COMPLETION DATE: Changed from November 30, 1992 to May 30 1993

d. FINAL CLEANUP TASKS:

1. PROPOSE FINAL CLEANUP OBJECTIVES AND ACTIONS:

COMPLETION DATE: Changed from April 30, 1993 to July 31, 1993


2. COMPLETE IMPLEMENTATION OF FINAL CLEANUP ACTIONS:

COMPLETION DATE: Changed from 60 days after implementation of the actions as proposed and accepted by the Executive Officer in accordance with Task 1.d.1. above to December 31, 1993.

3. SUBMIT FIVE YEAR STATUS REPORT:

COMPLETION DATE: Changed from January 31, 1995 to January 31, 1996

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 20, 1991.

  
for  
Steven R. Ritchie  
Executive Officer